



Workforce Investment Board

SARATOGA, WARREN & WASHINGTON COUNTY
WORKFORCE INVESTMENT BOARD

GRANT RECIPIENT SARATOGA COUNTY

REQUEST FOR PROPOSALS FOR YOUTH SERVICES

Authorized by THE WORKFORCE INNOVATION AND OPPORTUNITY ACT

****PLEASE NOTE****

The Requirements under this Solicitation are based on new federal legislation that was signed into law on July 22, 2014. The new law represents a significant change in priorities and requirements from previous federal workforce legislation. All potential applicants are strongly encouraged to read this RFP carefully.

PUBLICATION

This Request for Proposals has been made available to prospective applicants through publication in *The Saratogian* and *The Post Star* on or about May 4, 2015, and through emails to all Applicants who have requested that they be included on the Saratoga, Warren & Washington County Workforce Investment Board's mailing list for solicitations of proposals. The RFP will also be available on the Saratoga County Website on the Employment and Training Page at www.saratogacountyny.gov or www.thejoblink.org.

Timeline

- a. Date of RFP: May 4, 2015
- b. Questions may be emailed to lscaccia@saratogacountyny.gov until May 22nd at 12 Noon
- c. Proposal Due Date: May 26, 2015 by 4:30 pm
- d. Anticipated Proposal Review Completed: June 2015
- e. Workforce Board Meeting to Approve Proposals: Late June 2015
- f. Anticipated State Date/Contract Begins: July 1, 2015

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**SARATOGA, WARREN & WASHINGTON COUNTY
WORKFORCE INVESTMENT BOARD**

REQUEST FOR PROPOSALS

PART ONE: BACKGROUND INFORMATION

This Request for Proposal (RFP) process and notice are for the Saratoga, Warren & Washington County Workforce Investment Area authorized under the Workforce Investment Act (WIA) and the successor the Workforce Innovation and Opportunity Act (WIOS) which begins July 1, 2015 and is authorized as workforce law at the federal level through September 2020. The Saratoga, Warren & Washington County Workforce Investment Board (WIB) provides policy and direction for both WIA and WIOA funding for the Saratoga, Warren & Washington County area as a certified workforce board. Since 2000, the purpose of the WIB has been to set policy and oversee the federal workforce laws and other funds obtained by the WIB under the authorities, guidelines and for the designated outcomes of the funding sources. This oversight includes the approval of youth contracts for services authorized by WIA and WIOA. Reference to the WIB includes the current WIB and any successor boards authorized under WIOA. Contracts awarded through this RFP are subject to the laws and guidance provided through WIOA by the USDOL and the NYSDOL and any revisions and modifications thereto including successor legislation.

The new federal law mandates that at least 75% of local area funds be spent on out-of-school youth services (20% must also be prioritized for work-based activities). This is a significant change in federal policy from previous workforce law that required a minimum of 30% expenditure for out-of-school youth services.

A link to the full text of the WIOA legislation (Public Law No.:113-128) may be viewed at www.doleta.gov/wioa.

I. Purpose of the Request for Proposal

The Saratoga, Warren & Washington County Workforce Investment Board, through its fiscal agent Saratoga County, issues this Request for Proposals (RFP) to solicit innovative youth workforce development programs under the provisions of the Workforce Innovation and Opportunity Act of 2014 (WIOA). Applicants may submit proposals to serve the targeted youth population characterized in the following manner based on school status/eligibility:

Out-of-School Youth to be served under WIOA

WIOA Youth Eligibility Requirements:

- a. Be a US citizen or eligible non-citizen; and,
- b. Saratoga, Warren & Washington County resident; and,
- c. Comply with the military Selective Service Act; if applicable

For the purposes of this RFP:

Out-of-School Youth means an individual who is:

1. Not attending any school (as defined by State law)
2. Be 16 – 24 years old
3. And be identified as one or more of the following:
 - a. A school dropout
 - b. A youth who is within the age of compulsory school attendance, but has not attended school for at least the most recent complete school year calendar quarter.
 - c. A recipient of a secondary school diploma who is a low-income individual and is;
 - i. Basic skills deficient; or
 - ii. An English language learner

- d. An individual who is subject to the juvenile or adult justice system
- e. A homeless individual, a homeless child or youth, a runaway, in foster care or has aged out of the foster care system, a child eligible for assistance under the Social Security Act, or an out-of-home placement
- f. An individual who is pregnant or parenting
- g. A youth who is an individual with a disability
- h. A low-income individual who requires additional assistance to enter or complete an educational program or to secure or hold employment.

II. **Eligible Applicants**

Any governmental, educational or not-for-profit organization or agency engaged in a public service may apply. Private for-profit organizations engaged in providing employment and training and educational opportunities for eligible youth may apply. An organization, agency, or company submitting a proposal must do so as an individual organization, and must be prepared to either deliver the planned WIOA services directly or to enter into an agreement with an appropriate provider(s) or the services.

Entities that are presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction by any Federal department or agency are not eligible to respond to this RFP or to receive a contract.

Outstanding Monitoring, Audit or Legal Concerns-Respondents must disclose and rectify any and all outstanding monitoring and/or audit concerns from any of the respondent's other contracts prior to receiving a contract resulting from this RFP. Additionally, respondents must disclose any legal judgments, claims arbitration proceedings, lawsuits or other legal proceedings pending or outstanding (unresolved) against the organizations, its owners, officers, or principals.

Competency - Respondents are expected to have the technical competence, knowledge and expertise in management and administration, the professional staff, and the administrative and fiscal management systems to accomplish the scope of work and the goals and objectives stated in this RFP, and must meet high standards of public service and fiduciary responsibility. Respondents are responsible for being knowledgeable of all laws, regulations, rules, and policies of the specific funding sources involved and applying them in developing the RFP response.

Preference will be given to applicants that have had experience serving state and federally funded out-of-school youth in programs in Saratoga, Warren & Washington County. Due to the need to obtain annual performance outcomes, applicants currently utilizing the shared case management and reporting software of the New York State Department of Labor (NYSDOL) known as the One Stop Operating System (OSOS) are preferred. NYSDOL has provided an instructional video entitled "OSOS Basics: Navigating the System" which provides a brief overview of the system, structure, system screens and system requirements. Please view this important video at the NYSDOL website at www.labor.ny.gov/workforcenypartners/osos/video/osos-system-navigation.shtm.

Individual agencies or organizations associated with a funded proposal application will be responsible for completing their own OSOS data entry within five (5) days of providing a funded program service.

III. **Selection Criteria**

Applicants will be selected based on an established set of criteria including, but not limited to:

- Program design which addresses the specific needs of the targeted population and responsiveness to the requirements of this RFP;
- Demonstrated ability to successfully administer and operate employment and training programs which serve the targeted population. If applicable, programs previously funded by the WIB will be rated based on performance against contractual goals and objectives;

- Up to an additional twenty-five (25) points may be awarded based on the operational success of a prior program experience. This prior experience may come from previous federal or state funded programs and would be evaluated based on performance and overall program, fiscal and data entry compliance. Applicants interested in consideration for these additional points will be required to submit performance data and monitoring reports, including findings and/or corrective action information, for these prior programs.*
- Cost effectiveness and financial accountability, including any in-kind contributions;
- Demonstrated ability to comply with all standards which govern state and federally funded youth programs. Unresolved or repetitive program findings will be considered and may effect proposal scoring.
- Likelihood of agency's meeting performance goals;
- Quality of the services to be provided;
- Demonstration of coordination and linkages with other agencies and programs addressing the needs of targeted youth.

Points will be assigned as follows:

Program Design	25
Program Specifics	30
Management & Administration	25
Demonstrated Effectiveness Budget	20
Request (Including Matching)	
*Prior Experience	25(optional/conditional)

Each proposal may earn up to 125 points

Minimum score: Only those proposals that receive a minimum score of eighty (80), including a minimum of fifteen (15) points in Management & Administration/Demonstrated Effectiveness, as reviewed by the Proposal Review Team, will be eligible to receive a recommendation concerning funding.

Applicants will not be considered for funding where the criteria above are not addressed. Other reasons for disapproval may include, but are not limited to:

- Proposal is incomplete or is not considered responsive to this RFP;
- Program is not cost effective;
- Program is not responsive to needs of population to be served;
- Applicant lacks demonstrated administrative and/or fiscal capacity to operate the proposed program;
- Applicant is seeking to start up a new training institution or business;
- Proposed program duplicates existing services.

IV. **Review and Award Process**

The Proposal Review Team, made up of WIB Staff, and members of the WIB Board and/or Emerging Worker committee, will review and evaluate proposals and make determinations as to whether proposals will be recommended to the full WIB Board.

The full WIB Board shall approve applicants for contract awards subject to successful resolution of all negotiation issues.

It is anticipated that more than one (1) proposal application will be approved and awarded through this solicitation.

If applicants protest the award made by the WIB, the WIB reserves the right to continue the award process while it considers the protest. Protest rights are limited to violations of Federal, State, or local laws or regulations.

V. **Period of Performance**

The award period will be for Program Year (PY) 2015 beginning July 1, 2015 and ending June 30, 2016, with the option to renew the contract for two (2) additional one (1) year periods based on satisfactory performance and the best interests of the WIB.

Contract renewals may be subject to negotiation/modification and compliance with any subsequent guidance and modifications.

VI. **Availability of Funds**

The actual amount of funding to serve out-of-school youth through this RFP will be determined after the WIB receives its allocation from the New York State Department of Labor (NYSDOL).

WIOA mandates that at least 75% of local area youth funds be spent on out-of-school services and 20% of overall local youth funding prioritized on work-based learning (work experiences such as summer jobs, pre-apprenticeship training, OJT and internships that have academic and occupational education as a component).

Based on the current program year allocation, it is anticipated that \$60,000 dollars will be available to serve youth in Saratoga County, \$255,000 for Warren County and \$145,000 for Washington County.

Actual funding, which is yet to be determined, will be dependent on, and subject to, issuance of regulations for WIOA, availability and negotiation with the WIB. The anticipated funding level should be considered solely as an estimate for the purpose of offering guidance to applicants. Final contracts will be based on actual funding availability, when determined.

Given the WIOA mandate that 20% of WIOA youth funds be used for paid and unpaid work experiences (including employment opportunities, internships, pre-apprenticeship programs, job shadowing, and on-the-job training), 20% of proposed and final program budgets must be dedicated to this service element. **Please note:** If a separate vendor is selected for Saratoga County, we are able to assist with employment sites paid and unpaid at local not-for-profits and County agencies.

Funds under this RFP cannot be used to pay for services that are currently funded through other sources. Rather, they are intended to fund additional services, so that the range of service options available to targeted youth to successfully transition into a self-sufficient adulthood is expanded and made more comprehensive.

VII. **Eligibility of Program Participants**

In order to be served by programs funded under this RFP, youth must meet the eligibility requirements for WIOA Title I Youth Programs. Participants will be youth ages 16-24 who have dropped out of school or who have graduated from high school but have basic skills deficiencies and other barriers to education or employment. (See the section on "Purpose for the Request for Proposal" for details). Funded programs will be responsible for determination of eligibility of all program participants in accordance with application, registration and enrollment procedures to be instituted by the Workforce Investment Board.

VIII. Recruitment of Program Participants

The applicant will receive referrals from WIB approved One-Stop Centers but will be expected to perform independent recruitment of participants for the program. All recruitment efforts should be coordinated with the WIB and its designated providers.

IX. Program Design Requirements

The WIB is a strategic planning, policy and oversight body for the workforce area and does not conduct direct services to customers. The WIB will provide technical assistance as needed and support the service delivery system in its continuous improvement.

Under Section 129 (c) (1) of the Workforce Innovation and Opportunity Act (WIOA); it states that funds allocated to youth service providers shall be used for the program design below:

1. Provide an objective assessment of the academic level, skill levels, and service needs of each participant, which assessment shall include a review of basic skills, occupational skills, prior work experience, employability, interest, aptitudes, supportive service needs, and development needs of such participant.
2. Develop service strategies for each participant that shall identify career pathways that include education and employment goals, appropriate achievement objectives, and appropriate services for the participant taking into account the assessment conducted.
3. Provide:
 - a. Activities leading to the attainment of a secondary school diploma or its recognized equivalent or a recognized postsecondary credential
 - b. Preparation of postsecondary educational and training opportunities
 - c. Strong linkages between academic learning and occupational learning
 - d. Preparation for unsubsidized employment opportunities, and
 - e. Effective Connections to intermediaries with strong links to the job market and local, regional employers.

The following is a list of fourteen (14) required services local programs must, at a minimum, provide to youth per Section 129 (c) (2) of the Workforce Innovation and Opportunity Act. If a provider does not directly provide the services listed, it must demonstrate the ability to make referrals to appropriate providers of such services.

1. Tutoring, study skills training, and evidenced based dropout prevention strategies that lead to completion of secondary school diploma or its recognized equivalent or for a recognized postsecondary credential.
2. Alternative secondary school offerings;
3. Paid and unpaid work experiences that have as a component of academic and occupational education, which may include:
 - a. Summer employment opportunities and other employment opportunities available throughout the school year;
 - b. Pre-apprenticeship programs
 - c. Internships and job shadowing; and
 - d. On-the-job training opportunities.*

Please Note: WIOA places increased emphasis on work-based learning and work experience opportunities for eligible youth. This type of service element (i.e., summer employment opportunities and other employment opportunities available throughout the school year, pre-apprenticeship training, on-the-job training and internships that have academic and occupational

- education as a component) should be integral to youth program design.
4. Occupational skills training, which shall include priority consideration for training programs that lead to recognized postsecondary credentials that are aligned with in-demand industry sectors or occupations.
 5. Education offered concurrently with and in the same context as workforce preparation activities and training for a specific occupational cluster.
 6. Leadership development opportunities, which may include such activities as positive social behavior and soft skills, decision-making, teamwork, other activities;
 7. Supportive services;
 8. Adult mentoring for duration of at least twelve (12) months, which may occur both during and after program participation.
 9. Follow-up services for a minimum 12-month period; and
 10. Comprehensive guidance and counseling, including drug and alcohol abuse counseling, mental health counseling, as well as referrals to counseling, as appropriate to the needs of the individual youth.
 11. Financial literacy education
 12. Entrepreneurial skills training
 13. Services that provide labor market and employment information about in-demand industry sectors and occupations
 14. Activities that help youth prepare for and transition to post-secondary education and training.

The WIB reserves the right to designate delivery of these, and any other service elements, by way of the local One Stop Operator, subject to the issuance of WIOA regulations.

Applicants have the discretion to determine what specific services will be provided to a youth participant, based on each participant's objective assessment and individual service strategy (ISS), a written plan of long and short term goals addressing educational, occupational, vocational and personal support service needs. Applicants are responsible for ensuring that all fourteen elements are accessible to all enrolled youth, as needed, either directly in-house or through partner agencies.

Program Components

It is expected that the following components will be integrated into the program design.

Please Note: Program components #3 and #4 listed below are considered to be "design framework activities." The WIB reserves the right to designate delivery of these program components by way of the local One-Stop Operator subject to the issuance of WIOA regulations.

1. Recruitment

Applicants are responsible for the recruitment of applicants. The WIB may assist applicants in recruitment. The intent is to use WIOA funds to serve youth who would benefit from year-round service, and otherwise have no access to comprehensive services.

2. Eligibility Determination and Verification/WIOA Registration

Prior to enrollment in to a WIOA activity, youth must be certified as eligible under WIOA guidelines. Service Providers are responsible for determining, verifying, and certifying WIOA eligibility for each youth applicant by obtaining acceptable records/documents to verify each required eligibility item. These verification documents must be maintained in a paperless system. Files will be reviewed periodically by One-Stop Center staff and during monitoring. Only youth who have been certified as WIOA-eligible by completion of required forms and whose documentation to verify eligibility has been obtained by staff may be enrolled, and begin to receive, WIOA sendees.

3. Assessment

WIOA requires that Youth Service Providers/Contractors administer or obtain a thorough and in-depth assessment of the academic level, skill levels, and service needs of each youth at the time of enrollment into WIOA activities. Assessment should be carefully planned and administered to collect specific, relevant information leading to an appropriate mix and sequence of services and interventions. Youth Service Providers will use only assessment tools and strategies that are valid for youth. Initial/entry assessment will include: basic skills, work readiness skills, occupational skills, prior work experience, barriers to employment, family situation, occupational interests and aptitudes, financial resources and needs, supportive service needs, and developmental needs. This information should be acquired through various means, including, but not limited to, standardized tests, structured interviews, behavioral observations, inventories, career guidance instruments, performance-based or competency-based assessment tools, and where the information is current and reliable, assessment results from another service provider (school or agency). Our local workforce area requires use of the Tests of Adult Basic Education (TABE) for basic skills testing, and assessment tools for assessing career interests and aptitudes.

Assessment instruments, especially on-line tools, used to measure learning styles, life skills, etc. must be adequately researched by service provider staff prior to use to determine that they are objective, conform to widely accepted standard for validity and reliability, and are age appropriate for the youth. WIOA staff must have adequate training on the administration, scoring, and proper use of test results. Information collected from the assessment process serves as the basis for individualized service planning in order to achieve the educational and employment outcomes desired for each youth. Assessment should be ongoing process throughout participation in WIOA in order to track each youth's progress and to measure and record personal growth, skill goal attainment, and achievement of planned objectives for each youth. Progress testing should occur at regular intervals to determine the need to try other strategies or approaches when learning gains are not occurring as expected.

4. Individual Service Strategy

Each youth enrolled into the WIOA program will have a written, individualized plan of services and activities (an appropriate mix of the fourteen required program elements), including appropriate learning objectives and goals, based on the entry assessment information. The WIB will provide a standardized form for completing each youth's Individual Service Strategy (ISS). The ISS is intended to provide in-depth information about a youth, both history and present circumstances, in order to create a plan of action agreed upon by the young person and staff working together. Youths' service plans should be flexible and responsive to the changing needs of the youth as they move through WIOA. Each youth's service plan will outline the appropriate mix and sequence of services, indicate the rationale for decision-making, and include appropriate achievement objectives and expected timeframes. The ISS will be developed in partnership with each youth; will be client-centered and flexible in accommodating changes in plans as youth's needs and situations change. Each youth's ISS will identify educational and employment goals, selected learning objectives, and provide preparation for unsubsidized employment. The ISS will set clear and realistic goals for educational advancement, entry into employment in a targeted industry, and continued learning and development.

5. Comprehensive Case Management

The WIOA Service Provider will provide comprehensive case management services to youth as part of the year round strategy to support and assist youth to attain meaningful outcomes. Staff is expected to work closely with youth to provide support and guidance, address needs and barriers, solve problems, serve as role models, and assist in the attainment of the objectives and goals agreed

upon in the ISS. The ISS will be reviewed and updated by staff quarterly to arrange for needed services, identify and address concerns as they arise, and document progress made during participation. Regular personal contact between a Case Manager and the young person is essential. Based on the case management relationship, the youth should be aware that he/she has support and accountability in working to achieve his/her personal goals. Primary case management functions are services coordination, advising and counseling, advocacy, follow-up and accurate and timely record keeping.

All service provider staff is expected to be informed of, and adhere to, professional standards of client confidentiality. Staff with access to, or control over WIOA youth records or other confidential information is expected to safeguard such information. No staff member, volunteer, or other person associated with the WIOA Service Provider shall release or disclose information concerning the youth without securing a signed release of information authorization prior to releasing the records. This includes information sharing that is verbal, written or electronic. Exchange of information is generally to be used for eligibility verification, coordination of services and activities, tracking progress and participation, securing additional services, and for follow-up purposes.

6. WIOA Data Validation and Record Keeping

The U.S. Department of Labor has issued a data validation policy that establishes record keeping requirements to ensure the accuracy and integrity of information collected and reported on WIOA activities and program outcomes. The federal policy mandates that states “demonstrate the validity of reported data,” and conduct data validation annually. New York State has set statewide policy for data validation, and Saratoga, Warren & Washington County has developed guidelines and instructions for participant records/files that include file content and structure, data validation labeling requirements, and file maintenance. Local workforce staff will provide staff training and ongoing technical assistance for data validation.

7. Information and Referrals for WIOA-Eligible Youth

Eligible youth will be provided information on services and opportunities that are available from WIOA Service Providers and other appropriate education and training opportunities in the community. WIOA Service Providers will refer eligible youth to other educational, employment, training, community agencies, and/or human service organizations that have the capacity to serve them. This requirement applies to youth who may benefit from services other than, or in addition to, WIOA-funded activities. Records of these referrals and the outcomes of the referral should be recorded in case notes/OSOS comments.

8. Referrals and Record Keeping for Youth Not Meeting WIOA Eligibility

Youth who are not eligible for WIOA or those who can be better served by another agency or program should be referred to appropriate agencies and/or organizations in the community. WIOA staff is responsible for maintaining applicant records, WIOA Intake forms, eligibility documentation copies, etc. of eligible youth who do not become enrolled (for whatever reason) and of youth who are determined to be ineligible for WIOA services.

9. Performance

The Workforce Innovation and Opportunity Act align the performance indicators for core programs, and add new ones related to services to employers and postsecondary credentials attainment.

Performance measures are not available for program year 2015 (July 1, 2015-June 30, 2016) though “Indicators of Youth Performance are included in Appendix A.

Each proposal must include a description of how the program will achieve the expected outcomes as

identified in Appendix A.

Proposed performance outcomes will be subject to negotiations pending the determination of specific numerical goals, or any other performance-related requirements/information/revisions, imposed by the New York State Department of Labor (NYSDOL) and/or United States Department of Labor (USDOL).

All successful subcontractors will be held accountable for performance measure rates which include future performance outcomes as they become available through the USDOL and the NYSDOL. Continued funding may be contingent upon meeting performance measure rates.

In order to better manage performance related activities, proposing agencies will be required to complete and submit the scheduling chart found in Appendix B.

10. New York Workforce Innovation and Opportunity Act Management Information System (MIS)-One Stop Operating System (OSOS)

Youth Service Providers are required to use the OSOS MIS system to track all clients from initial contact through intake/application, eligibility certification, WIOA registration, enrollment into selected activities, case management/case note, activity status updates, outcomes reporting, exit, and post-exit follow-up.

User access to this MIS system is allowed only upon completion of system training that is conducted by the New York State Department of Labor. User names and passwords will be assigned to users after the training is satisfactorily completed.

11. Location

Youth Service Providers must take into consideration the location of the site providing services to youth. The site must be accessible to the youth population that the area serves, as well as a safe location for the youth. The location should be set in a community environment that has outreach to other community partners, accessible transportation and must suit the needs of the youth. Each site should provide youth with additional amenities that will aid in their successful achievement of goals.

X. Monitoring

The WIB, represented by the WIB staff and the One-Stop Center staff, is responsible for ensuring that all programs are carried out in accordance with the Workforce Innovation and Opportunity Act, its rules, and regulations. Monitoring is a tool for ensuring compliance. It can also help to identify performance problems and/or areas, which may require technical assistance. Additional benefits which monitoring may provide include: improvements in quality of services, enhancements in administrative systems; and development of new programs and systems.

Performance information may be derived and monitored from data input into the One-Stop Operating System (OSOS), which has been chosen by the local WIB to be the mandatory shared case management software for the local workforce area. OSOS provides accountability, tracking, and reporting of all services provided via One Stop Service Delivery offices and their affiliates. OSOS is an automated approach designed to help WIB's meet the challenges of WIOA through on-line technologies.

All successful applicants shall be required to complete and submit an OSOS Partner Network Integration Questionnaire, OSOS Interagency Agreement and OSOS Individual Access and Confidentiality Agreement in order to access the system. The NYSDOL will be responsible for providing training on the system which whereby the WIB will submit requests to NYSDOL for OSOS security permission based on an individual staff persons' duties and responsibilities.

NYSDOL and the WIB will work with successful applicants to ensure that all aspects of OSOS connectivity and usage are achieved.

The act of monitoring can occur through on-site visits, as well as desk reviews using techniques such as interviews, observations and review of performance using the OSOS Management Reports. An analysis of how the program is performing in relation to the required performance outcomes stated in the contract will also be conducted. Findings from these reviews will be shared with the contractor staff. It is expected that each successful applicant will be monitored a minimum of two times during the contract period. At least one review will be conducted on-site and will include an analysis of source data documents in participant files. The second review will be either on-site or as a desk review.

Both the WIB and NYSDOL will perform required monitoring of program and financial systems and procedures consistent with its plan submitted to NYSDOL. Monitoring guides approved by NYSDOL will be used for this activity. Performance will be monitored on a regular basis so that failing performance levels can be identified early, well before the end of the contract. Monitoring and performance outcomes will be reported to the WIB. Quarterly meetings will be scheduled between the contractor and WIB Youth staff. Successful applicants will be expected to make timely changes within their programs to ensure enrollment levels and outcomes are being achieved in a way to measure the success of the program. The WIB may choose to terminate the contract if corrective action is not successful.

Monitoring will consist of enrollment levels, worksite monitoring, fiscal monitoring and performance outcomes.

Program progress will be reviewed each quarter. The Interim Outcome Measures (see below), expenditures and Performance Deliverables will be assessed. Benchmarks for monthly monitoring are as follows:

- First Year: At least 50% of new program enrollments should occur within the first year. If the contractor does not meet or exceed the benchmark, the WIB will provide technical assistance and a written corrective action plan.
- First Year: A majority of program participants should be enrolled in a program service or activity that leads to a performance outcome.
- Eighteen Months: Applicant progress will be rated against the Performance Deliverables. If the applicant fails to provide the required monthly reports and/or fails to comply with the written corrective action plans, the WIB has the right to not reimburse the contractor for the time frame involved.

The WIB/Saratoga County reserves the right to terminate a contract with 30 days' notice if an applicant continues to fail to reach enrollment, performance goals or meet NYSDOL/WIB compliance requirements. In this circumstance, the WIB reserves the right to reallocate remaining funding to existing, successfully performing subcontractor(s) for the continued provision of services to youth impacted by the contract termination.

Interim Outcome Measures

Because most data on performance outcomes will not be available during the program year, the WIB will use shorter term or interim outcome measures and process measures in order to ensure progress toward the WIA outcome measures. The interim outcome measures that will be monitored by the WIB staff generally are:

1. Early funding cycle program enrollment of youth.
2. Wage progression.

3. Retention of youth in a program leading to a recognized post-secondary credential.
4. Youth attainment of HSE or unsubsidized employment.
5. Academic and occupational skill attainments.

XII. Form of Contract

All contracts will be on a cost reimbursement basis and will be negotiated based on a line item budget to be submitted as part of the proposal.

Funded program providers will receive reimbursement for expenditures associated with the program based on a final negotiated contract budget.

XIII. Insurance and Bonding Requirements

The applicant will be responsible for providing liability insurance in the amount of \$1,000,000 and bonding in the amount of \$100,000 as described in Part Four of this RFP. Prior to the disbursement of funds, satisfactory evidence will be required to confirm that proposing organizations maintain sufficient liability insurance and are covered by appropriate bonding of staff. Please refer to Part Four of this RFP for details regarding these and other requirements.

XIV. Adherence to Laws / Audits / Disallowed Costs

If chosen through this RFP process, the applicant agrees to conduct any and all activities under the Agreement in accordance with any and all Federal, State, Local, or departmental statutes, rules, regulations, laws, or ordinances applicable to contracts of the WIB in effect or promulgated during the term of the Agreement or any extensions thereof, (including but not limited to the Workforce Innovation and Opportunity Act and the rules and regulations promulgated thereunder) and to execute such certifications and other documentation as may be required pursuant to Federal, State, local, or departmental statutes, rules, regulations, orders or ordinances. At any time during normal business hours and as often as the WIB may deem necessary and in such a manner as not to interfere with the normal business operations of the applicant, the applicant shall make available to the WIB, NYSDOL, or the USDOL for examination all its records with respect to all matters covered by the contract and shall permit the WIB to audit, examine, and make excerpts or transcripts from such records and to make audits of all contracts, invoices, materials, payrolls, records of personnel, conditions of employment, and other data relating to all matters covered by the agreement between the applicant and WIB.

The applicant shall comply with applicable Office of Management and Budget (OMB) Circulars. OMB published final uniform guidance on reforming the cost principles and administrative and audit requirements for federal grants and cooperative agreements in the December 26, 2013, Federal Register and codified at 2 CFR Part 200. This uniform guidance supersedes, streamlines and consolidates requirements from OMB Circulars A-21, A-87, A-110 and A-122 (2 CFR Parts 220, 225, 215 and 230); and the guidance related to following up on audits prepared by non-federal auditors contained in OMB Circular A-50. The WIB requires an applicant, subject to OMB requirements, to have a single audit of their organization annually. The applicant must submit, within 30 days of completion of audit, a copy of their single audit for all fiscal years affected by the term of the contract to the WIB. Any disallowed costs identified through these audits or inspections are the responsibility of the applicant.

XV. Program Income

If chosen through this RFP process, any program income earned by the applicant pursuant to this contract shall be remitted to the WIB in accordance with the procedures set forth in a contract between the WIB and the applicant.

XVI. Subcontracting

If chosen through this RFP process, the applicant agrees not to sub-contract, assign, transfer, convey, sublet,

or otherwise dispose of this contract or any right, title, obligation or interest it may have therein, without prior written consent from the WIB. Any such sub-contract, assignment, transfer, subletting, conveyance, or disposition of the contract or any right, title, or interest therein without the prior written consent of the WIB will relieve the WIB of any and all liabilities and obligations growing out of such contract to the applicant or to the person or corporation to which the contract shall have been subcontracted, assigned, transferred, conveyed, or sublet. Subcontractors, assignees, transferees, or sub lessees shall forfeit and lose all monies theretofore earned under such contract.

For purposes of this RFP, the proposing agency and any partner agencies will be considered one proposing entity. Sub-contracting outside of this entity will be prohibited without prior written consent as previously referenced.

XVII. Limitation on this Request for Proposal

This Request for Proposal does not commit the Workforce Investment Board to award a contract, to pay any costs incurred in the preparation of a proposal, or to procure any services or supplies.

The Workforce Investment Board reserves the right to:

- a. Accept or reject any or all proposals received as a result of this request.
- b. Modify the terms of this Request for Proposal.
- c. Negotiate with all qualified applicants.
- d. Cancel in part or in its entirety this Request for Proposal if it is in their best interest to do so.
- e. Extend any contract awarded through this RFP process beyond the program year ending June 30, 2017.

Applicants may be required to participate in negotiations and submit additional information or revisions to their proposals.

The WIB reserves the right to modify the scope of services, terms and conditions and funding level of any proposal approved as part of this solicitation in order to comply with any regulatory changes in WIOA.

XVIII. WIB Procurement Policy

Complete information can be found in Appendix C.

XIX. Veteran's Priority of Service

It is the responsibility of the WIB and its contractors to provide priority of service to all veterans and eligible spouses who receive services under any qualified job training program.

Priority of Service means that veterans and eligible spouses are given priority over non-covered persons for the receipt of employment, training, and placement services provided under a qualified job training program. This means that a veteran or an eligible spouse either receives access to a service earlier in time than a non-covered person or, if the resource is limited, the veteran or eligible spouse receives access to the service instead of or before the non-covered person.

PART TWO: GENERAL INSTRUCTIONS FOR SUBMITTING PROPOSALS

- I. All proposals submitted must be in accordance with the format specified on the following pages. Incomplete proposals will not be considered.
- II. Applicants must submit one (1) signed original proposal and six (6) copies.
- III. A "Certification Regarding Debarment, Suspension, Ineligibility and "Voluntary Exclusion Lower Tier Covered Transactions" form is required (Appendix D). The Certification Form must be signed by an authorized representative and submitted along with the proposal to the WIB.
- IV. Timeline
 - a. Date of RFP: May 4, 2015
 - b. All questions can be submitted to lscaccia@saratogacountyny.gov by 12 Noon on 5/22/15
 - c. Proposal Due Date- May 26th by 4:30
 - d. Anticipated Proposal Review Completed: June, 2015
 - e. Workforce Board Meeting to Approve Proposals: June, 2015
 - f. Anticipated Start Date/Contract Begins: July 1, 2015
 - g. Anticipated Start Date/Contract Begins: July 1, 2015

Deadline for Submission of Proposals

Proposals must adhere to the instructions outlined in this RFP package. Applications must be on standard 8.5" x 11" paper, one sided. Do not use hard covers, binders, or staples on the original (allowable on the copies); removable binder clips are acceptable on original. Do not include extraneous materials. Proposals will be limited to a maximum of thirty-five (35) pages; this does not include cover sheet, budgets, performance related schedule, resumes, participant handbook or financial credentials. All pages must be numbered.

Proposals that do not meet all criteria and/or requirements as outlined in this RFP will not be reviewed.

In order to be considered for funding, six (6) copies along with (the original proposal with original signature, must be hand or courier delivered (do not fax or e-mail proposal), **by no later than 4:30 p.m., EST. on May 26,, 2015.** Proposals received after this deadline will not be accepted.

- V. Proposals should be directed to:
Saratoga County Employment and Training, 152 West High Street, Rm. B-204 Ballston Spa, New York 12020
- VI. Questions may be emailed to lscaccia@saratogacountyny.gov.

PART THREE: PROPOSAL FORMAT AND INSTRUCTIONS

I. **Cover Letter**

All proposals must be accompanied by a cover letter containing the following information for the lead agency:

- a. Name of Organization
- b. Address
- c. Contact Person (Name, Title)
- d. Telephone Number
- e. Email Address
- f. Type of Organization
- g. Program Title
- h. Title of Request for Proposal to which you are responding
- i. Signature of individual authorized to represent the proposing agent in submitting the proposal.

Include the following statement:

"In consideration of the limitations of this RFP, I hereby certify that I am an official of the above organization authorized to sign and submit this proposal, and that this organization, if awarded a contract under this RFP, will meet all specifications required by this RFP. I understand that any exceptions to these specifications must be requested in writing and are subject to written approval by the WIB."

- Signature
- Name (Print)
- Title
- Date

Provide contact information for each Partner Agency:

- a. Name of Organization
- b. Signature of individual authorized to represent the partner agency in the submission of this proposal
- c. Name (Print)
- d. Title
- e. Date

II. **Table of Contents**

Include all sections and attachments with page numbers.

III. **Project Summary**

Present a brief, concise summary of the proposed program. Identify the number of youth to be served, the types of activities and services to be provided, the length of training, the training methods, and the anticipated outcomes.

IV. **Program Design**

This section should provide a clear and comprehensive description of the proposed program.

a. Target Group

Indicate whether any specific group(s) of out-of-school youth will be targeted by the program, e.g., specific age groups or those with particular barriers to employment. Also, indicate the geographic area(s) targeted by the program, e.g., specific neighborhoods, or specific municipalities.

b. Proposed Activities and Services

The proposal must describe in detail the comprehensive program you plan to provide. Programs

offered may be of varying duration; however, they must be directly linked to the required fourteen (14) youth elements found in Section IX of this solicitation. The proposal must include the following:

1. A comprehensive plan to deliver the minimum 14 required youth activities and services listed in Part One. Include a description of how the bidder will coordinate the operation of the youth program, ensure comprehensive assessment, and develop individual service strategies for participants which includes the development of career pathways. If the provider will not directly offer each of the fourteen (14) required elements, include a plan to refer youth to appropriate agencies offering those services.

The proposal should address the youth services that WIOA seeks to provide:

- An objective assessment of the academic levels, skill levels and needs of each participant.
 - Service strategy development for each participant that identifies career pathways that include education and employment goals.
 - Activities that lead to the attainment of recognized credential, secondary school diploma or equivalent.
 - Preparation for postsecondary educational and training opportunities.
 - Strong linkages between academic instruction and occupational education that leads to recognized postsecondary credential.
 - Preparation for unsubsidized employment opportunities.
2. Describe how your proposal will meet the mandated WIOA requirement that 20% of WIOA youth funds are required for paid and unpaid work experiences, including summer employment opportunities, internships, pre-apprenticeship programs, job shadowing and on-the-job training opportunities.
 3. The proposal must identify how the program will address “soft skills” deficiencies in eligible youth. Soft skills are defined as communication skills including both written and verbal, critical thinking skills, appropriate behavior in the workplace, having the right attitude, computer and math skills. These skills were identified in the recently completed regional labor market study as an issue for the younger workforce.
 4. The process for recruitment and selection of eligible out-of-school youth.
 5. Plans for youth retention in program services and/or employment until goals are achieved.
 6. A description of the case management component of the program, including the process for identification of the supportive service needs of the youth.
 7. A description of the payment process for supportive services and youth paychecks if included in the services provided.

c. Sequence and Duration of Activities and Services

Indicate the sequence and duration of each activity/service described in Section B. above.

d. Schedule of Activities and Services

Specify the hours/days and projected average number of hours of participation for each proposed activity/service. A chart is sufficient for this purpose.

e. Location of Training

Training should be accessible to youth with disabilities. Indicate how this will be ensured. Indicate the location(s) and the amount of space available for proposed activities and services.

f. Staffing Pattern

Include staff title and outline the staffing pattern for the proposed program. Please include resumes and/or qualifications for all staff of this proposed program. Will staff be full-time or part-time? Will they be paid or volunteer? What is the experience of the staff with Youth career development services?

What will be the ratio of youth to professional staff for each activity/service?

g. Coordination with any Partner Agencies

- Identify partner agencies involved in this proposal.
- Describe the participant flow between the proposing agency and any partner agencies.
- Provide a written agreement between the lead agency and each partner agency. This written agreement must be in the form of a Memorandum of Agreement (MOA) and specify roles and responsibilities for access/delivery of each youth program service element to be provided.
- Describe the process for communicating information regarding participants between the proposing agency and partner agencies. Proposing agencies may be required to update a participant's ISS based on feedback from partner agencies.
- Describe how the proposed program will be coordinated with recruitment, intake, referrals, and delivery of the fourteen (14) required services under WIOA among the proposing agency and any partner agencies.
- Describe the method of service delivery designed to optimize ease of use for participants (co-location, transportation assistance, etc.)
- Describe how a program exit strategy for participants will be determined. What benchmarks will be assessed in such a determination?
- Provide any partner budgets in addition to the overall program budget inclusive of both lead and partner budgets.

h. Equipment

List the equipment which will be used in providing services, showing the participant to equipment ratio for each type of equipment used. Is the equipment purchased and already in place?

i. Curricula and Instructional Materials

Describe the specific curriculum, training materials, textbooks, etc., to be used in each instructional component of the program.

V. Program Specifics

a. Program Timetable

Provide a timetable for implementation and operation of the proposed program.

b. Enrollment Criteria

Beyond eligibility for WIOA Title I Youth Programs and residency in Saratoga, Warren and Washington Counties, describe any criteria youth would need to meet in order to enter the proposed program. Include any of the following that apply:

1. Minimum/maximum age levels
2. Residency requirements
3. Minimum barriers to employment
4. Minimum/maximum educational attainment
5. Minimum/maximum reading/math skill levels
6. Any physical requirements
7. Other

If any testing is required prior to selection of persons for the program, identify the test, describe its purpose, and indicate qualifying scores for entry into the program.

c. Trainee Evaluation

Describe the methods to be used to continuously evaluate and document each youth's progress and attainment of competencies in each component of the program. Include a description of the corrective action steps to be followed if a participant is not making satisfactory progress

d. Transition Efforts

1. How will the proposed program develop and maintain relationships with employers for referral of youth for employment? How will youth be matched with employment openings? How will the program follow up with employers and employed youth?

2. Please submit a list, including contact information, for those employers for which your organization has placed youth in the past.
3. Describe how the program will coordinate with colleges, vocational training providers, apprenticeship programs, and military recruiters to transition participating youth into advanced training, education or military service.
4. Describe the provisions that will be made by the provider to transition youth from other unfunded/discontinued out-of-school youth programs into your program. (It is anticipated that reduced funding may reduce the number of out-of-school youth service providers. Some youth who have been previously served by programs that will be unfunded/discontinued will need to be transitioned to funded service providers for continued services/follow-up).

Potential service providers are required to provide a copy of their current participant handbook. Please include this document as an appendix to your proposal. Pages associated with this document will not count toward the maximum number of pages allowed for your proposal. If you do not have a handbook, please provide us with a draft or outline. If awarded the contract you will be required to provide a handbook within 60 days.

e. Program Deliverables

Please fill in/provide anticipated number your program is designed to achieve for each category below:

_____ Number of youth to be served (total)

_____ Number of youth who will exit and receive follow-up services

_____ Number of youth in education or training activities during the second quarter after exit.

_____ Number of youth in unsubsidized employment during the second quarter after exit.

_____ Number of youth in education or training activities during the fourth quarter after exit.

_____ Number of youth in unsubsidized employment in the fourth quarter after exit.

_____ Expected median earnings in unsubsidized employment during the second quarter after exit.

_____ Number of youth that will attain a recognized postsecondary credential, or a secondary school diploma or its recognized equivalent during participation or within one year after exit.

_____ During a program year, number of youth in an education or training program that leads to a recognized post-secondary credential or employment and who achieving measurable skill gains toward such a credential or employment.

f. Required Documentation Checklist (See part Four of this RFP for further details)

Please check boxes below pertaining to the inclusion of these documents with your proposal.

	YES	NO
1. Recent Audited Financial Statement	<input type="checkbox"/>	<input type="checkbox"/>
2. Participant Handbook or	<input type="checkbox"/>	<input type="checkbox"/>
3. Equal Employment Opportunity and Affirmative Action Policies	<input type="checkbox"/>	<input type="checkbox"/>

VI. Management and Administration / Demonstrated Effectiveness

- a. Describe the background of the lead agency and partner agencies. Include:
 1. Type and purpose of the organization
 2. Experience with the eligible population
 3. Experience in administering training programs for out-of-school youth in Saratoga, Warren & Washington County, including performance data on any youth programs operated by the agency, as well as other related programs and activities administered by the organization. Please provide information in the following format. (Note: Evaluation or audit reports on the program(s) may be requested).
 4. Experience using the One Stop Operating System shared case management software.
- b. Describe the organizational structure of the program. An organizational chart is sufficient.
- c. Provide job descriptions for all professional staff to be involved in the program. Resumes for key staff may be requested.
- d. Describe the systems of internal communication, monitoring, and control which will be utilized to ensure the proper and optimum functioning of the program.
- e. Describe existing or new linkage/coordination with other human service agencies and/or organizations (e.g. business, labor, education) in the community which will impact on the program. Please provide letters of agreement/support to verify these linkages/coordination.
- f. A copy of the applicant agency's most recent financial audit will be required prior to execution of a contract. Indicate whether this is attached or will be provided upon notification of grant award.

VI. Budget Request

Provide a complete budget, utilizing the forms on the following pages.

PLEASE NOTE: Budget should include all costs related to operating your program including any support costs your organization will pay to participants (i.e., stipends, incentives, transportation costs, etc.).

**Cost Reimbursement Contracting
BUDGET SUMMARY**

Please attach a budget narrative to support each item of costs listed.

COST CATEGORY	WIOA FUNDS	IN-KIND/OTHER FUNDS	TOTAL
Personnel			
Operating Expenses			
Participant Expenses			
Subcontracted Services			
Administration*			
Other			
Total			
Cost per participant			
Projected Out of School Youth Expenditures**			

Other leveraged funds:

Personnel: include job title, rate of pay, fringe benefit rate, estimated time charged to project.

Operating Expense: staff travel, office supplies, phone and copying.

Participant Expenses: tuition, books, supplies, fees, work experience wages/fringe, support services.

Subcontracted Services: detail by subcontractor/partner agency.

*Administration: limited to no more than 10%.

**Must be at least 75% of WIOA expenditures.

VIII. Prior Experience (optional/conditional)

Up to an additional twenty-five (25) points may be awarded based on successful prior experience. This prior experience may come from previous federal or state funded programs and would be evaluated based on performance and overall program, fiscal and data entry compliance. Applicants interested in consideration for these additional points will be required to submit the following:

- a. Provide a brief description of the previous federal or state funded program and the participants that were served.
- b. Provide performance data/outcomes for the last three (3) years for this previous program(s).
- c. Provide all monitoring reports for all agencies associated with this previous program (s), including findings and/or corrective action information. If corrective action was required, what steps were initiated for improvement?

Please note that information in response to this optional "XII. Prior Experience" section will not count toward the maximum page count for your proposal.

PART FOUR: SUPPLEMENTAL INFORMATION; OBLIGATIONS AND RESPONSIBILITIES OF WIOA SERVICE PROVIDERS

I. Reporting Requirements

Applicants will be required to prepare and submit accurate and timely reports on hourly attendance, trainee status, and expenditures to the WIB or its designated administrative agency.

II. Monitoring and Evaluation

Prior to a contract award, the WIB or its designated administrative agency may conduct a pre-award survey. The purpose of the pre-award survey is to insure that all WIOA and WIB standards and conditions can be met by the training provider. The pre-award survey may include a review of the training site, equipment, record keeping systems, staff credentials etc.

Once a contract has been awarded, periodic monitoring and evaluation of program operations and performance will be conducted by designated representatives of the WIB. Monitoring and evaluation may also be conducted by representatives of USDOL or NYSDOL.

As part of normal program evaluation, training services and the program's internal systems of communication, monitoring and control will be examined. Applicants are expected to maintain documentation of these processes such as: minutes of meetings, participant attendance sheets, staff/participant contact sheets, inter-unit communications regarding participant's progress, program policies, etc.

III. Fiscal Requirements

Applicants shall be required to provide the following:

a. Financial Credentials: To be included as part of proposal package.

Recent audited financial statement and other acceptable records attesting to fiscal status of the organization as well as disclosure of any impending litigation or other issues which may impact on ability to meet the terms of the agreement.

b. Payments

Payment to programs funded will be made in accordance with the terms of the contract. Invoices shall be prepared and submitted by the successful applicant for the program with the necessary back-up documentation attached.

c. Record Keeping

All applicants are expected to maintain complete records to justify payment according to the terms of the contract.

d. Employee Benefits

Statutory benefits as provided by law (FICA, Workers Compensation, NYS Disability, etc.) must be provided to all employees including those in a work experience activities.

e. Liability Insurance

The applicant shall maintain liability insurance with a minimum limit of \$1,000,000 combined single limit.

IV. Participant Handbook

Applicants are required to provide each participant with a handbook which details the program's policies for participants including: tardiness and attendance policies, grievance procedures, disciplinary procedures, etc.

Documentation of participant receipt of the handbook must be maintained on file. A copy of the Participant Handbook is to be provided for inclusion in the proposer's file within 60 days of the award of a contract.

V. Equal Employment Opportunity and Affirmative Action Policies

All applicants must provide a copy of their Equal Employment Opportunity and Affirmative Action

policies with their proposal. All policies must comply with current federal and state laws.

VI. Drug-Free Workplace

All applicants must provide a copy of their policy/signed statement regarding a drug-free workplace environment as required under the Drug-Free Workplace Act of 1988 (See Appendix D).

APPENDIX A

INDICATORS OF YOUTH PERFORMANCE

- In education or training activities or unsubsidized employment during the second quarter after exit.
- In education or training activities or unsubsidized employment during the fourth quarter after exit.
- Median earnings in unsubsidized employment during second quarter after exit.
- Attainment of a recognized postsecondary credential, or a secondary school diploma or its recognized equivalent during participation or within one year after exit.
- During a program year, youth are in an education or training program that leads to a recognized postsecondary credential or employment and who are achieving measurable skill gains toward such a credential or employment.
- Indicators of effectiveness in serving employers.
- Other standards or service indicators as may be adopted by WIOA, the NYS DOL and the WIB.

Please Note: These indicators represent preliminary information under WIOA and are subject to further clarification and/or change. Specific service goals will be issued.

APPENDIX B

PERFORMANCE RELATED SCHEDULE

2015/2016	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
# Enrolled												
#Exited												

2016/2017	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
# Enrolled												
#Exited												

APPENDIX C

CONTRACT EXECUTION

**Saratoga, Warren & Washington Workforce Investment Board,
(through the grant recipient Saratoga County)
Contract Execution**

I. Competitive Request for Proposal Process

Except as otherwise provided in the agreement between the WIB and Chief Elected Officials, agreements with required Workforce Investment Act (WIA) partners, and agreements for employer specific training, the WIB will utilize a Competitive Request for Proposal (RFP) process to procure contracts for:

- Workforce investment activities as authorized in the Workforce Investment Act and related programs, consistent with the requirements of such programs; and
- Other activities provided for in the approved budget of the WIB.

The WIB publicizes all RFP's and automatically forwards the public notice to an appropriate solicitation list. The WIB staff reviews and ranks proposals and makes recommendations to the WIB regarding awards to responsible offers whose proposals are most advantageous to the program in consideration of cost, technical and other factors.

II. Contract Execution

In no event shall any services be provided by the Workforce Investment Board, its' employees, or agents, under any contract before the contract is duly signed by all parties hereto.

Listed below are the steps taken throughout the RFP process:

- | | |
|----------------|---|
| STEP 1 | WIB and Grant Recipient Staff determine budget, training and service needs and program mix; |
| STEP 2 | WIB staff develops RFP's; |
| STEP 3 | WIB staff publicizes RFP's by public notice and email; |
| STEP 4 | Proposal received by the WIB; WIB staff reviews proposal and prepares summary. Summary is factual and contains no judgments; |
| STEP 5 | Proposal Review Team completes proposal review sheets, verifies background information in proposals, and discusses funding availability with Saratoga County Employment and Training fiscal staff; |
| STEP 6 | Information regarding final proposal summaries is discussed. The Proposal Review Team provides proposal recommendations. |
| STEP 7 | Proposal summaries submitted to the Committee with jurisdiction over youth-related workforce investment activities. A committee meeting is held. The committee makes funding recommendations within parameters established by the full Board. |
| STEP 8 | Committee recommendations are presented to the WIB Executive Committee of full WIB Board for final funding authorization. |
| STEP 9 | WIB Executive Director directs the execution of all required documents to implement actions taken by the WIB. |
| STEP 10 | Full Board meeting is held. The WIB Chairperson reports on actions of the Committee to full Board. The Saratoga County Board of Supervisors must also approve the contractor selected. |

APPENDIX D

**REGARDING LOBBYING, DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY
MATTER: AND DRUG-FREE WORKPLACE REQUIREMENTS**

REGARDING LOBBYING, DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS: AND DRUG-FREE WORKPLACE REQUIREMENTS

Applicants refer to the regulations cited below to determine the certification included in the regulations before completing the form. Signature of this form for compliance with certification requirements under 34 CFR Part 82 “New Restrictions on Lobbying,” and 34 CFR Part 85, “Government-wide Debarment and Suspension (Non-Procurement) and Government-wide Requirements for Drug-Free Workplace (Grants).” This certificate shall be treated as a material representation of fact upon which reliance will be placed when the Department of labor determines to award the covered transaction grant, or cooperative agreement.

1. LOBBYING

As required by Section 1352, Title 31 of U.S. Code and implemented at 34 CFR Part 82 for persons entering into a grant or cooperative agreement over \$100,000, as defined at 34 CFR Part 82, Section 82.105 and 82.110, the applicant certifies that:

- (a)** No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any persons for influencing or attempting to influence an officer or employee of Congress, or an employee of a Member of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement.
- (b)** If any funds other than federally appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, in connection with this federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form 111 “Disclosure Form to Report Lobbying” in accordance with its instructions.
- (c)** The undersigned shall require that the language of this certification be included in the award documents for all sub awards at all tiers including sub grants, contracts under grants and cooperative agreements and subcontracts and that all sub recipients shall certify and disclose accordingly.

2. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS

As required by Executive Order 12549, Debarment and Suspensions, and Implemented at 34 CFR Part 85, for prospective participants in primary covered transactions, as defined at 34 CFR Part 85, Sections 83.105 and 85.110;

(a) The applicant certifies that it and its principals:

- 1. Are not presently debarred, suspended, proposed for debarment, declared eligible, or voluntarily excluded from covered transactions by any Federal department or agency;
- 2. Have not within a three year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contracts under a public transaction. Violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- 3. Are not presently indicted or otherwise criminally or civilly charged by a Government entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph A (b) of this certification; and
- 4. Have not within a three-year period preceding this application had one or more public transactions (Federal, State or local) for cause or default; and

(b) Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

3. DRUG -FREE WORKPLACE (GRANTEES OTHER THAN INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 34 CFR Part 85; Subpart F, for grantees, as defined at 34 CFR Part 85, Sections 85.605 and 85.610:

- (a) The applicant that it will or will continue to provide a drug-free workplace by:
1. Publishing a statement notifying employees that the manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
 2. Establishing an on-going drug-free awareness program to inform employees about:
 - i. The dangers of drug abuse in the workplace;
 - ii. The grantee's policy of maintaining a drug-free workplace;
 - iii. Any available drug counseling, rehabilitation, and employer assistance program; and
 - iv. The penalties that may be imposed upon employees for drug abuse violation occurring in the workplace.
 3. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a):
 4. Notifying the employee in the statement required by paragraph (a) that as a condition of employment under the grant, the employee will:
 - i. Abide by the terms of the statement and;
 - ii. Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
 5. Notifying the agency, in writing within ten calendar days after having receiving notice under subparagraph (d) (2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position, title, to: Director, Grants Management Bureau, State Office Building Campus, Albany, New York 12240. Notice shall include the identification number (s) of each affected grant.
 6. Taking one of the following actions, within thirty calendar days of receiving notice under subparagraph (d) (2), with respect to any employee who is convicted.
 - i. Taking appropriate personnel action against such an employee, up to and including termination, consistent with the Requirements of the Rehabilitation Act of 1973, as amended; or
 - ii. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health law enforcement, or other appropriate agency);
 7. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), (f).
- (b) The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant.

Place of Performance (street, address, city, county, state and zip).

DRUG-FREE WORKPLACE (GRANTEES WHO ARE INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 34 CFR Part 85, Subpart F, for grantees, as defined at 34 Part 85, Sections 85.605 and 85.610;

1. As a condition of the grant, I certify that I will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant; and
2. If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, I will report the conviction, in writing, within ten calendar days of the conviction, to: Director, Grants Management Bureau, State Office Building Campus, Albany, New York 12240. Notice shall include the identification number(s) of each affected grant.

_____ Check here if there are workplaces on file that are not identified here.

AS THE DULY AUTHORIZED REPRESENTATIVE OF THE APPLICANT, I HEREBY CERTIFY
THAT THE APPLICANT WILL COMPLY WITH THE ABOVE CERTIFICATIONS.

Name of Applicant (Grantee/Sub-grantee) and Program Title/Cycle #

Printed Name and Title of Authorized Representative

Signature

APPENDIX E

IRAN DIVESTMENT ACT COMPLIANCE REQUIREMENTS

IRAN DIVESTMENT ACT COMPLIANCE RIDER FOR COUNTY OF SARATOGA CONTRACTORS

The Iran Divestment Act of 2012, effective as of April 12, 2012, is codified at State Finance Law ("SFL") §165-a and General Municipal Law ("GML") §103-g. The Iran Divestment Act, with certain exceptions, prohibits municipalities, including the County, from entering into contracts with persons engaged in investment activities in the energy sector of Iran. Pursuant to the terms set forth in SFL §165-a and GML §103-g, a person engages in investment activities in the energy sector of Iran if:

- a) The person provides goods or services of twenty million dollars or more in the energy sector of Iran, including a person that provides oil or liquefied natural gas tankers, or products used to construct or maintain pipelines used to transport oil or liquefied natural gas, for the energy sector of Iran; or
- b) The person is a financial institution that extends twenty million dollars or more in credit to another person, for forty-five days or more, if that person will use the credit to provide goods or services in the energy sector in Iran and is identified on a list created pursuant to paragraph (b) of subdivision three of Section 165-a of the State Finance Law and maintained by the Commissioner of the New York State Office of General Services.

A bid or proposal shall not be considered for award nor shall any award be made where the bidder or proposer fails to submit a signed and verified bidder's certification.

Each bidder or proposer must certify that it is not on the list of entities engaged in investment activities in Iran created pursuant to paragraph (b) of subdivision 3 of Section 165-a of the State Finance Law. In any case where the bidder or proposer cannot certify that they are not on such list, the bidder or proposer shall so state and shall furnish with the bid or proposal a signed statement which sets forth in detail the reasons why such statement cannot be made. The County of Saratoga may award a bid to a bidder who cannot make the certification on a case by case basis if:

- 1) The investment activities in Iran were made before the effective date of this section (i.e., April 12, 2012), the investment activities in Iran have not been expanded or renewed after the effective date of this section and the person has adopted, publicized and is implementing a formal plan to cease the investment activities in Iran and to refrain from engaging in any new investments in Iran: or
- 2) The County makes a determination that the goods or services are necessary for the County to perform its functions and that, absent such an exemption, the County would be unable to obtain the goods or services for which the contract is offered. Such determination shall be made in writing and shall be a public document.

CERTIFICATION OF COMPLIANCE WITH IRAN DIVESTMENT ACT

Pursuant to General Municipal Law §103-g, which generally prohibits the County of Saratoga from entering into contracts with persons engaged in investment activities in the energy sector of Iran, the bidder/proposer submits the following certification:

[Please Check One]

BIDDER'S CERTIFICATION

- ☐ By submission of this bid or proposal, each bidder/proposer and each person signing on behalf of any bidder/proposer certifies, and in the case of a joint bid each party thereto certifies as to its own organization, under penalty of perjury, that to the best of its knowledge and belief, that each bidder/proposer is not on the list created pursuant to paragraph (b) of subdivision 3 of Section 165-a of the State Finance Law.
- ☐ I am unable to certify that my name and the name of the bidder/proposer does not appear on the list created pursuant to paragraph (b) of subdivision 3 of Section 165-a of the State Finance Law. I have attached a signed statement setting forth in detail why I cannot so certify.

Dated: _____, 20____.

STATE OF)
) ss.:
COUNTY OF)

The undersigned, being duly sworn, says (a) I am duly authorized to execute this Certification and (b) I hereby certify, under penalty of perjury, that the forgoing Certification is in all respects true and accurate.

Signature

Printed Name

Title

Subscribed and sworn to before me this ____
day of _____, 20____.

Notary Public